



City of Alameda California

AGENDA

REGULAR MEETING OF
CITY OF ALAMEDA AMERICA'S CUP COMMITTEE
THURSDAY, OCTOBER 6, 2011
6:00 p.m.

(Doors open by 5:45 p.m.)

**CONFERENCE ROOM 360
ALAMEDA CITY HALL
2263 SANTA CLARA AVENUE**

Anyone wishing to speak on any item on the agenda or business brought up by Committee Members or a member of the public may do so when the subject is brought up for discussion. (Please file a speaker's slip.)

If you wish to address the Committee, please file a speaker's slip with the Secretary.

- **Upon recognition by the Chair, approach the rostrum and state your name and address. Speakers are limited to five (5) minutes per item.**
- **Lengthy testimony should be submitted in writing and only a summary of pertinent points presented verbally.**

1. CALL TO ORDER AND ROLL CALL
2. MINUTES
 - 2.a. Minutes of the Meeting of September 1, 2011
 - 2.b. Minutes of the Special Meeting of September 8, 2011
3. CONSENT CALENDAR
4. ORAL COMMUNICATIONS - PUBLIC

5. UNFINISHED BUSINESS

- 5.a. Discussion regarding Ralph. M. Brown Act.

6. NEW BUSINESS

- 6.a. Presentation by Randy Rentschler, Metropolitan Transportation Authority.
- 6.b. Presentation by Mark Ames, Deputy Coordinator AC34 for US Coast Guard.
- 6.c. Report on Presentation of Committee's Recommendations to the City Manager.
- 6.d. Report on John Beery's Proposal to Build Family Coach Resort.
- 6.e. Recommendation to expand Committee membership to include Deborah Wright.

7. REPORTS

8. WRITTEN COMMUNICATIONS

9. ORAL COMMUNICATIONS – COMMITTEE MEMBERS AND STAFF

10. ADJOURNMENT

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* Sign language interpreters will be available upon request. Please contact Eric Fonstein, City of Alameda Economic Development Division, at 747-6895 or 522-7538 (TDD number) at least 72 hours before the meeting to request an interpreter. Accessible seating for persons with disabilities (including those using wheelchairs) is available. Minutes of the meeting are available in enlarged print. Audiotapes of the meeting are available upon request.

Please contact Eric Fonstein, at 747-6895 or 522-7538 (TDD number) at least 48 hours before the meeting to request agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.

DRAFT UNTIL APPROVED

MINUTES

REGULAR MEETING OF
CITY OF ALAMEDA AMERICA'S CUP COMMITTEE
THURSDAY, SEPTEMBER 1, 2011
6:00 PM

1. CALL TO ORDER

The meeting commenced at 6:00 p.m.

Present: Vice Chair Brad Shook, Dave Bloch, Jim Oddie, John Platt, Kame Richards, David Lee, Jack Boeger, Leslie Cameron, Kathie Woulfe, David Forbes.

Absent: Chris Seiwald

Staff: Eric Fonstein

Public: Deborah Wright, Chris Tibbe, Dan Tibbe, Peter Clark, Dave Connolly, and Kathy Doulabi.

1. CALL TO ORDER AND ROLL CALL

2. **MINUTES**

2.a. Approved Minutes of the Special Meeting of August 18, 2011

3. **CONSENT CALENDAR**

4. **ORAL COMMUNICATIONS – PUBLIC**

Chris Tibbe—He and his father, Dan Tibbe, operate Open Ocean Sailing, a charter boat service based in Alameda. Mr. Tibbe said that there is much opportunity to promote Alameda as an access point to see the race. "It is great to be on a sailing vessel to see a sailing event," Mr. Tibbe said.

Peter Clark—Mr. Clark said that the America's Cup can provide the "gloss" to make Alameda Point into a destination resort. Mr. Clark liked the idea of resort/golf course, claiming that Alameda Point has one of the best views in the world. He advocates for adaptive reuse at Alameda Point.

Dave Connolly—Mr. Connolly is an Alameda resident and Vice President of the Sailors Union of the Pacific (SUP). Mr. Connolly viewed the America's Cup as "a new media model" with maximum internet coverage. Mr. Connolly said that the media has not been addressed by the Committee.

Alameda should look at the media's needs, such as water taxis, to access the race. He thinks that top boaters and mega yachts will go elsewhere, but Alameda's comparative advantage is staging area for media.

Kathy Doulabi—Ms. Doulabi owns an interactive entertainment company (DreamGenieUS.com) and would like to help coordinate entertainment activities in Alameda for the America's Cup.

5. UNFINISHED BUSINESS

5.a. Discussion Regarding Scenarios.

The Subcommittees that were created at the last meeting, reported on priority items and initial steps necessary to implement them.

Promotion Subcommittee—Mr. Boeger and Mr. Bloch made the following points:

- The first step is to educate the local business community. They suggested that the Committee create a speakers bureau to present information to various Alameda business associations and maritime business clusters, such as charter boats. In addition, the outreach will solicit from the business associations and clusters what steps they would like to see implemented. The Subcommittee will develop a basic script for Committee to review.
- The City and the Committee should coordinate outreach with the AC Authority. We should let them know that Alameda is out there promoting their event.
- The Promotion Subcommittee will create an action plan and outline script.
- Mr. Boeger will reorganize the website content.

Land-to-Sea Transportation—Mr. Oddie and Mr. Platt reported on the following points:

- Ferry service should be the top priority. The Committee should ask the City:
 - * to provide overflow parking areas adjacent to ferry terminals.
 - * to expand ferry service and offer other landings for ferry service.
 - * to work with WETA to develop service to Treasure Island.
- Other priorities include: increase AC bus and shuttle service on the Island and increase water taxi service to Jack London Sq. and other destinations.

Mr. Bloch suggested researching AQMD grants.

Sea Transportation—Ms. Cameron summarized her meeting with Lori Taylor, Community Development Director for the City of Alameda:

- She asked the City to do survey of marinas and conduct an economic analysis of reconfiguring slips to allow large yachts. The Committee may recommend that the City adjust its lease rates to the marinas in exchange for them to make improvements.

Mr. Richards said that many marinas are not deep enough for large yachts.

Mr. Lee said that the City has not stepped up to sign leases with marinas.

Mr. Bloch suggested getting the AC Authority to build a mega yacht marina in Alameda.

Mr. Platt suggested talking to John Berry and Alaska Packer Basin.

- The Subcommittee suggests researching the potential moorings at the Old Navy Marina by Enterprise Park and the Alaska Packers Basin.
- The Subcommittee recommends asking the City to explore potential of Seaplane Lagoon.

Racing Syndicates—Mr. Richards reported:

- The Artimus response was that they will focus on defining their needs (criteria) within the next two months. Mr. Richards said that the City should not wait to move on this item. For example, he said that the Committee should ask the City to offer free space to build racing boats at Alameda Point in exchange for Syndicates to pay for the improvements.
- Mr. Richards also suggested that the City to organize site tours of Alameda Point to Syndicates to show what is available before they set their criteria.

Housing—Mr. Lee suggested the following priority item:

- ask the City to create or change zoning requirement to allow for permanent high-end motor coach park.

Events—Mr. Platt suggested the following priority items:

- Approach Alameda Theater with the idea of maritime/America's Cup film festival. Mr. Shook offered to contact Kyle Conner.

- Ask the City to help accommodate the NCMA boat show.

Mr. Shook suggested that at the next meeting, the committee should 1) formally decide which recommendations to move forward as top priorities, and 2) decide how to present them to the City Manager.

6. **NEW BUSINESS**

6.a. Discussion of Superyachts and Seaplane Lagoon.

This topic was covered under Old Business.

7. **REPORTS**

8. **WRITTEN COMMUNICATIONS**

9. **ORAL COMMUNICATIONS – COMMITTEE MEMBERS AND STAFF**

10. **ADJOURNMENT**

7:34 p.m.

DRAFT UNTIL APPROVED

MINUTES

**SPECIAL MEETING OF
CITY OF ALAMEDA AMERICA'S CUP COMMITTEE
THURSDAY, SEPTEMBER 8, 2011
6:00 PM**

1. CALL TO ORDER

The meeting commenced at 6:04 p.m.

Present: Chair Chris Seiwald, Brad Shook, Dave Bloch, Jim Oddie, John Platt, Kame Richards, David Lee, Jack Boeger, Leslie Cameron, Kathie Woulfe, David Forbes.

Absent: Kame Richards

Staff: Donna Mooney, Lori Taylor, Eric Fonstein

Public: Deborah Wright, Barry Demak, Jerry Brown, Kathy Doulabi, Karen Bey, David Ross, Randy Rentschler.

1. CALL TO ORDER AND ROLL CALL

2. MINUTES

3. CONSENT CALENDAR

6. NEW BUSINESS

Note: With the consent of the Committee, Item 6.a. was moved to the beginning of the agenda.

6.a. Presentation by Donna Mooney, Acting City Attorney, regarding the Ralph. M. Brown Act.

Ms. Mooney mentioned that boards and commissions are not bound by Roberts Rules.

Ms. Mooney distributed an outline of her presentation (attached). Ms. Mooney also referred to a League of Cities booklet on open and public forums (available at <http://www.cacities.org/openandpublic>). The Brown Act, also known as the Open Meeting Law, was passed in the 1950s because of a series of articles in the *San Francisco Chronicle*, entitled "Your Secret Government." To prevent "backroom deals," the law requires meetings to be open to the public and properly noticed. Alameda, as a Charter City with basic control over its own

affairs, has to comply with the Brown Act. It applies to governing and appointed bodies.

At its July 21, 2011, the Alameda City Council formalized the America's Cup Ad Hoc Committee, thereby making it subject to Brown Act requirements. Ms. Mooney said that the Committee will also be subject to the City's Sunshine Ordinance, increasing government transparency. The Ordinance is being drafted and expected to go before the City Council by the end of the year.

Ms. Mooney said that the Brown Act prohibits a "series of communications", sometimes called "daisy chains", that form a collective concurrency on an item. The Act requires that the committee members need to be in the same room at that same time, so that the public can hear and understand how the committee arrives at its decisions. The Act prohibits having a go-between person polling committee members on an item. Ms. Mooney advised that the Committee should stay away from e-mails sent to all committee members. Instead, she recommended that information should be sent to a City staff person, who can then disseminate the information to the entire Committee. Ms. Mooney will research the issue concerning the Committee's use of Googlegroup.

Ms. Mooney said that the Committee can briefly respond to Public Comments or give direction to staff to follow up. However, extended discussion is prohibited.

4. ORAL COMMUNICATIONS – PUBLIC

Kathy Doulabi—she offered her company's services to create a virtual America's Cup village and organize events, similar to the night club events she organized in San Francisco. Chairman Seiwald suggested that she participate in the Events Subcommittee.

Randy Rentschler, Director, Legislation and Public Affairs, Metropolitan Transportation Commission—offered his services to help coordinate all transit operations.

5. UNFINISHED BUSINESS

- 5.a. Approve Recommendations to City Manager.
Chairman Seiwald called on the subcommittees to report on their recommendations for consideration and approval.

Promotion Subcommittee Recommendations (Mr. Boeger and Mr. Bloch)

- a) The Committee to create a speakers bureau to make presentations, attended by a City representative, to local business and civic organizations. The Committee will prepare a list of talking points and handout materials.
- b) The City to provide funds to produce collateral materials and to provide other resources, such as meeting locations, to support the Committee's promotional activities.

Events Subcommittee Recommendations (Mr. Shook and Mr. Platt)
Mr. Platt said that he had e-mailed Ariel Ungerleider, Community Outreach Manager for the America's Cup Event Authority, regarding the promotion of the following three events:

- a) Alameda Educational Fund "Pirates in Paradise" event;
- b) Film night at the Alameda Theater; and
- c) America Cup theme at the Fourth of July parade.

Lori Taylor reviewed the meeting held earlier in the day with the City of San Francisco Office of Economic and Workforce Development and the America's Cup Event Authority:

- Super yachts demand is being determined. San Francisco feels that it can accommodate the demand with perhaps spill over demand for five super yacht spaces for entire area. San Francisco said that they will know more in December.
- The Event Authority intends to create a berthing website to centralize information for all of the marinas in the region.
- The Event Authority also plans to create a database of maritime services and suppliers, vetting the information before it is posted.
- The Event Authority said that it is willing to promote non-race day events, such as Alameda's Fourth of July parade.

Community Development Subcommittee—Mr. Seiwald said that they had nothing to report.

Housing Subcommittee Recommendations (Mr. Lee and Ms. Bey)

- a) promote Alameda's history as a resort community as part of its marketing approach.
 - The City should work with the Chamber of Commerce to promote Alameda as a tourist destination and resort community.
 - The City should create a monthly newsletter to inform and engage the community on tourism issues, meetings, events, and projects in Alameda.

- The City should create a new tab in the "Visit Alameda" section of the City's website to promote Alameda hotels, vacation rentals, and similar tourist-related information.
- b) Promote the development of a high-end motor coach park.
 - The City to secure Navy approval to use Senior NCO Clubhouse and surrounding land for the development of a high-end Motor Coach Park.
 - The City to issue a Request for Proposals to secure a developer experienced in developing and managing a Motor Coach Park.

Land-to-Sea (Dry) Transportation Subcommittee

Recommendations (Mr. Platt)

- a) The City to provide overflow parking areas for expanded Ferry services.
- b) The City to explore additional landing points for expanded Ferry service.
- c) The City to work with WETA to develop Ferry service to Treasure Island.
- d) The City to explore the feasibility of a City shuttle service to mitigate traffic and to move visitors around the Island.

Sea (Wet) Transportation Subcommittee Recommendations (Ms. Cameron and Ms. Wright)

- a) The City to survey the marinas for potential space for super yachts. The survey should also inventory all size slips that may be available.
- b) The City to submit maritime information to Niccolo Porzio di Camporotondo, the America's Cup Event Authority Super Yacht Director, for him to include in his Asia Pacific brochure for super yachts. (Note, this has already been accomplished.)
- c) The City to coordinate information with "Alamedawaterfront.com" website.
- d) The City to coordinate estuary activities with City of Oakland.

Syndicates Subcommittee Recommendations

- a) The City should offer space at Alameda Point for racing syndicates. The Committee suggested inviting syndicates on a site tour of Alameda Point and offering them free space in exchange for paid improvements.

Chairman Seiwald asked committee members to e-mail final recommendations to Mr. Fonstein. Mr. Lee made motion to approve the recommendations; Mr. Oddie seconded the motion. Unanimously approved.

Chairman Seiwald said that the next step will be to present the recommendations to the City Manager. Committee will be represented by Chairman Siewald and Mr. Platt.

6. **NEW BUSINESS**
7. **REPORTS**
8. **WRITTEN COMMUNICATIONS**
9. **ORAL COMMUNICATIONS – COMMITTEE MEMBERS AND STAFF**
10. **ADJOURNMENT**

**Brown Act Presentation
America's Cup Committee**

September 8, 2011

Donna Mooney, Acting City Attorney

From the Brown Act, passed by the state legislature in the 1950s:

"The people...do not yield their sovereignty to the agencies which serve them. The people...do not give their public servants the right to decide what is good for the people to know and what is not good for them to know."

The Brown Act applies to charter cities, such as Alameda.

Open and Public Meetings

All meetings of a legislative body of a local agency shall be open and public, and all persons shall be permitted to attend ... Gov't Code Sec. 54953.

No "action by secret ballot..." Gov't Code Sec. 54953.

What is a legislative body?

Governing body

Appointed bodies

Standing committee – if criteria are met.

Temporary committee created formally by legislation.

NOT Advisory committee of less than a quorum and no others.

Open and Public:

1) Notice

72 hours for regular

24 hours for special

2) Agenda

Posted

Description

Action

3) Rights of the Public:

Opportunity to address

Opportunity to criticize

Record the meeting

Meetings, Series of Communications, Technology

A meeting is defined in the Act as any "congregation of a majority of the members of a legislative body at the same time and location, including teleconference location ... to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body."

Courts: "meeting" includes deliberative gatherings, in turn including not just collective decisionmaking but also collective acquisition and exchange of facts which come before the decision.

The Act also prohibits outside a meeting using a series of communications to discuss deliberate or take action.

Cannot have some members calling other members and sharing positions

Cannot have a go-between who is polling the members and sharing that information

Emerging technologies – be mindful of emailing.

Teleconferencing

audio or video connection between locations -

so long as an agenda is posted at each teleconference location, each location is identified in the notice and agenda, each location is accessible by the public, most members of the body are at locations within the city, and votes are done by rollcall.

What is not a meeting

Fewer than a majority

Attendance at a conference, ceremonial event

Enforcement